

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

In Re: BARD IVC FILTERS
PRODUCTS LIABILITY LITIGATION

MDL No. 2:15-MD-02641-PHX-DGC

This Document Relates to Plaintiff:

MALCOLM DURAN FORTUNE
Civil Action No. 2:18-cv-01426-DGC

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned parties, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), that the above-captioned case be dismissed without prejudice, with each party to bear its own costs. It is further agreed that the non-suit will only apply to docket number 2:18-cv-01426-DGC.

Dated this 11th of July 2019.

MARC J. BERN & PARTNERS LLP

NELSON MULLINS RILEY & SCARBOROUGH, LLP

/s/ Debra J. Humphrey

/s/ Richard B. North, Jr.

Debra J. Humphrey
One Grand Central Place
60 East 42nd Street, Suite 950
New York, New York 10165
Tel: (212) 702-5000
Fax: (212) 818-0164
dhumphrey@bernllp.com

Richard B. North, Jr.
201 17th Street, NW, Suite 1700
Atlanta, GA 30363
Tel: 404 322 - 6000
Fax: 404 322 - 6397
richard.north@nelsonmullins.com

Attorneys for Plaintiff

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on July 11, 2019, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System which will automatically send email notification of such filing to all attorneys of record.

/s/ Debra J. Humphrey
Debra J. Humphrey

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**ORDER GRANTING JOINT STIPULATION
OF DISMISSAL WITHOUT PREJUDICE**

Considering the parties' Joint Stipulation of Dismissal Without Prejudice of Plaintiff Malcom Duran Fortune. Doc _____,

IT IS HEREBY ORDERED, ADJUDGED AND DECLARED that the parties' joint stipulation of dismissal without prejudice of Plaintiff Malcom Duran Fortune (Doc. _____) is **granted**. All claims of Plaintiff Malcolm Duran Fortune against Defendant C.R. Bard, Inc., and Bard Peripheral Vascular, Inc., in Civil Action MDL 15-02641 (Member Case 2:18-cv-01426-DGC) are hereby dismissed without prejudice as to the refiling of same, and each party shall bear its own costs.

Dated this _____ of _____, 2019.

David G. Campbell
United States District Judge